

Practitioner's Docket No. 157-47483



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: R. KOLODNER, et al.

Application No.: 09/470,276

Filed: December 22, 1999

Group No.: 1655

Examiner: Fredman, J.

PATENT  
B. Webb  
1/10/01  
RECEIVED

DEC 13 2000

TECH CENTER 1800/2900

For: METHOD OF DETECTION OF ALTERATIONS IN MSH5

Box Sequence

Assistant Commissioner for Patents

Washington, D.C. 20231

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE

1. A Statement that the Sequence Listing and the Computer Readable Copy are the same was missing from the filing of the Sequence Listing on July 7, 2000. In response to the Office Communication from the Examiner dated July 31, 2000, applicants herewith submit a Sequence Listing, a Computer Readable Copy of the Sequence Listing and a Statement that they are the same and introduce no new matter.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10\*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Maria R. Valinch  
Signature

Date: December 6, 2000

Maria R. Valinch  
(type or print name of person certifying)

## **IDENTIFICATION OF PERSON MAKING STATEMENT**

2. I, Ronald I. Eisenstein, state the following:

### **ITEMS BEING SUBMITTED**

3. Submitted herewith is/are:

A copy of each "Sequence Listing" submitted for this application and the same in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.

A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

Because this submission is made in fulfilling the requirement under 37 C.F.R. § 1.821(g), a statement that the submission includes no new matter.

### **STATEMENT THAT "SEQUENCE LISTING" AND COMPUTER READABLE COPY ARE THE SAME AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

The "Sequence Listing" and computer readable copy are the same.

(Submission-Nucleotide and/or Amino Acid Sequence—page 2 of 3)

### EXTENSION OF TERM

5. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**If any additional extension and/or fee is required, charge Account No. 50-0850.**

  
SIGNATURE OF PRACTITIONER

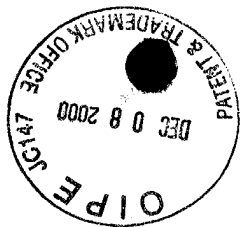
Reg. No. 30,628

Tel. No.: (617) 345-6054

Ronald I. Eisenstein

NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110

(Submission-Nucleotide and/or Amino Acid Sequence—page 3 of 3)



Docket No. 157-47483-C

1655 WD  
Bop See

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Applicants: R. Kolodner, et al.

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The Assistant Commissioner for Patents  
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

Certificate of Mailing

I hereby certify that the following items are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Commissioner of Patents and Trademark, Washington, DC 20231, on December 6, 2000:

1. Submission of "Sequence Listing", Computer Readable Copy, and Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence;
2. Paper Copy of Sequence Listing;
3. Computer Readable Copy Containing Sequence Listing; and
4. Return Receipt Postcard.

*Maria R. Valinch*

Maria R. Valinch